

JAP:MPC
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M-10-568

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

AFFIDAVIT AND
COMPLAINT IN SUPPORT
OF ARREST WARRANT

DONG CAI,
also known as
"Ricky Cai,"

(18 U.S.C. § 641)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

LORI KLEINMAN, being duly sworn, deposes and states that she is a Special Agent with U.S. Social Security Administration, duly appointed according to law and acting as such.

Upon information and belief, on or about and between February 12, 2001, and December 1, 2009, within the Eastern District of New York, the defendant DONG CAI, also known as "Ricky Cai," did knowingly and wilfully steal and convert to his own use things of value of the United States, to wit: Benefit Payments from the Social Security Administration, Supplemental Security Income Benefit Program in an amount in excess of one thousand dollars (\$1000.00).

(Title 18, United States Code, Section 641)

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am the case agent in the above-captioned case. I am familiar with the facts and circumstances set fourth below from my participation in the investigation, from my personal knowledge, and from conversations with other law enforcement agents and witnesses. Where I report statements made by others, these statements are reported in substance and in part unless otherwise indicated.

2. Your deponent has reviewed the New York City Certificate of Death for Nancy Collins Cai. The death certificate records that Nancy Collins Cai died on February 12, 2001. The informant on the death certificate is listed as Ricky Cai, relationship husband, address 92-02 88th Avenue Woodhaven, NY 11421. The address for the deceased and Ricky Cai on the death certificate are the same.

3. I have examined the Social Security payment records for Nancy Collins Cai. The records show that between the dates of February 12, 2001 and December 1, 2009 a total of approximately \$71,095 was paid for the benefit of Nancy Collins

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Cai. The record further shows that the monies were paid through the direct deposit process to checking account number 494099847 with the routing number assigned to the New York Community Bank.

4. I have examined New York Community Bank records for checking account number 494099847. The records reveal that this is an account in the name of Nancy L. Collins. The records further show monthly Social Security payment deposits and withdrawals made by Automated Teller Machine or personal check. Copies of canceled checks are endorsed with a signature reading "Nancy Collins."

5. On or about November 25, 2009, I received reports and records from the Social Security Administration (SSA) office in Cypress Hills, New York. These reports and records in part show that the Nancy Collins Cai received monthly payments of approximately \$761 per month up to and including November 2009. The reports further show, in part, that in or about November 2009, the SSA discovered that Nancy Collins Cai died on February 12, 2001.

6. On or about April 28, 2010 I met with the defendant. He stated in sum and substance that his wife died in 2001, and that he had failed to notify the Social Security Administration of this fact. The defendant also admitted that he continued to withdraw the money deposited by the Social Security Administration after his wife's death.

WHEREFORE, your deponent respectfully prays that the defendant DONG CAI, also known as "Ricky Cai," be dealt with according to law and that a warrant be issued for arrest.



LORI KLEINMAN
Special Agent
U.S. Social Security
Administration

Sworn to before me this
18th day of ~~May~~, 2010

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK